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Lambda Letters Project

32643

Vol. 10, No. 7 July, 2002 www.lambdaletters.org LambdaLP@aol.com (916) 728-1261

Letter from the Chairperson

Test Case of the Kuehl School Protection Plan

Dear Lambda Letters Project Members and Supporters,

You have done it again, you have made a difference in the battle against discrimination. Two years ago Lambda Letters Project members and supporters came to the rescue when California was on the verge of losing the fight to get a nondiscrimination bill passed that would protect our children from harassment, bullying, and verbal and physical abuse in the public school system. Sheila Kuehl (D–Los Angeles) introduced AB 537, the Kuehl School Protection Bill. Lambda Letters immediately jumped into action, sending out letters and e-mail alerts that asked for your help in supporting AB 537. You, the members and supporters of the LLP, sent in over 7,000 letters in support. AB 537 passed into law two years ago. Without your support, AB 537 would not have made it.

Dancing in the in-zone: "YES! WE DID IT!"

This year AB 537 faces its first test case. Miles Thompson states that he was viscously taunted and

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The Post-Gay Movement

by Boyce Hinman, Chief Lobbyist

Recently I read an article about something called the "post gay movement." The article raised several questions that strike at the heart of the lesbian, gay, bisexual, and transgender rights movement.

For example, is there really a need for a gay rights movement anymore? Is there really an LGBT community? Do I really want to be associated with the more controversial elements of the community, such as transsexuals and transgendered people? Don't they make it harder for people like me to fit in? Isn't there too much pressure for everyone to come out of the closet? Doesn't that cause people to define you solely on the basis of whom you have sex with?

With respect, I think anyone who thinks there is no more need for the LGBT rights movement is ignoring the continuing abuse of queer youth by their straight classmates and the fact that schools overlook it. Transgendered youth *and* adults face continuing abuse.

Society continues to deny our most basic economic rights. For example, if a married person dies without a will, California law says his or her property automatically goes to the spouse. That's not true for

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Lambda Letters Progress Report

Letters & Messages Collected

May, 2002	41,200 letters & e-mails
In all of 2002	95,031 letters & e-mails

Dollars Spent

May, 2002	$5,927
In all of 2002	$20,507

Can You Help?

Please support the very important work of the Lambda Letters Project with your contributions.

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Lambda Letters Project

Mission Statement

To promote people of color, feminist, lesbian, gay, bisexual, transgender, and HIV/AIDS status advocacy, and to bring people of color, women, lesbians, gays, bisexuals, transgendered and intersex persons, and persons affected by or living with HIV/AIDS into full participation in American society.

Board of Directors

Chair & Volunteer Coordinator: Lori Norman, Panorama City, (818) 785-1563, bettyboop_1930@hotmail.com
Recorder: Lynn Dobbs, San Diego, (619) 298-4965, lynn@lambdaletters.org
Treasurer: Michael Butler, Antelope, (916) 722-6301, mbutler@gvn.net
Development Director: Russ Mortenson, San Diego, (619) 523-5385, russm92107@hotmail.com
Larry Beaty, Citrus Heights, (916) 728-1261, lambdalp@aol.com
Boyce Hinman, Citrus Heights, (916) 728-1261, lambdalp@aol.com
Gretchen Bender, Visalia, (559) 635-7388, surfergirl71@yahoo.com

Staff

Chief Lobbyist, E-mail Alert Advocate: Boyce Hinman, (916) 728-1261, lambdalp@aol.com
Newsletter Editor: Stefan Grünwedel, (415) 863-2853, sgorsp@peoplepc.com
Legislative Analysts:

- Lesbian/Gay/Bisexual/Transgender Issues: Boyce Hinman, (916) 728-1261, lambdalp@aol.com
- People of Color Issues: Marty Martinez, (510) 663-7956, mmar10ez@aol.com
- HIV/AIDS Issues: Boyce Hinman, (916) 728-1261, lambdalp@aol.com
- Women's Issues: Adrienne Lauby, (707) 795-2890, adrienne@monitor.net

Web Page Manager: Lynn Dobbs, San Diego, (619) 298-4965, webmaster@lambdaletters.org

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The Lambda Letters Project does not sell or loan its mailing list to anyone. We give no information about who is, or is not, a member of the Project. We do, occasionally, send mailings on behalf of other worthwhile organizations, but this is done by our own volunteers so that no other organization has the opportunity to copy our mailing lists.

The Lambda Letters Newsletter is published monthly, except in December, by Lambda Letters Project Inc., 6529 Cowboy Way, Citrus Heights, CA 95621.
Postmaster: send address changes to Lambda Letters Project, 4577 Park Blvd. #4, San Diego, CA 92116.

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If so, you may register a complaint with the Department of Fair Employment and Housing. In cases of employment discrimination, call the department at (800) 884-1684. In cases of housing discrimination, call (800) 233-3212. The person answering the phone will schedule an appointment for you at the Department of Fair Employment and Housing Office which is closest to your home or place of employment.

Advertising Rates (per Issue)

Business-card sized ads (3½"×2") $15, quarter-page ads $50, half-page ads $65, full-page ads $100, full back cover ads $150. Deadline for payment and camera-ready copy, along with your name and phone number, is the 25th of each month.

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(Appreciated but not required.)

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Women's Issue

Make Domestic Safety a Human Right

by Adrienne Lauby

A few miles from my house in Sonoma County, Teresa Macias was killed by her violent husband. Because she'd called and filed reports with the local police repeatedly before the incident, Teresa's family said her civil rights had been violated.

Civil rights? Equal protection under the law? What does that mean?

It means that when a brown-skinned, mostly Spanish-speaking woman drives to her local police station with her ex-husband in a car behind her threatening murder, he stays in jail and she drives away in safety.

It means that threats and guns are always taken seriously by those paid to maintain safety in our community.

Teresa's ex-husband laughed at her for continuously calling the sheriff and he laughed and laughed at the sheriff. "The sheriff protects me," he scoffed at Teresa and her family, "more than they protect you."

The court agreed that Teresa deserved better and the family settled their suit for $1 million. Although this is a tremendous victory, Teresa is still dead and women still live with domestic violence.

Congress reduced federal funding for the Violence Against Women Act this year, drastically cutting the number of shelters and other family violence programs. Like the police in Sonoma County, the federal government has different priorities.

SB1618 by Sheila Kuehl (D–Los Angeles) mitigates these cuts in California by raising the portion of the marriage license fee dedicated to funding domestic violence services in California by $10. Six dollars of that fee would fund domestic violence shelters in underserved areas and populations.

Opposing legislators quibble that some of this fee, paid by couples getting married, will benefit families who are living outside of marriage. They are right. Same-sex couples, who also don't pay this fee, will be helped too. Both the "marriage angle" and the "gay angle" are unimportant; what's important is the protection of humans from violence in their homes.

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Lesbian/Gay/Bisexual/Transgender Issue

Protect LGBT Foster Kids

by Boyce Hinman, Chief Lobbyist

Please write your state senator and urge that he or she vote for AB 2651, a bill that protects lesbian, gay, bisexual, and transgendered youth as they go through the foster care system. It would prohibit discrimination on the basis of sexual orientation, transgender status, and HIV or AIDS status against foster care youth. It also prohibits discrimination against lesbian and gay foster care parents and caregivers.

The author, Judy Chu (D–Monterey Park), is working on an amendment to broaden the bill to protect bisexual and transgender parents and caregivers and bisexual foster children. If she can get the bill amended, all four parts of the LGBT community among foster children and their foster parents and caregivers would be protected.

The bill would also require the California Department of Social Services to adopt regulations to safeguard foster youths' access to resources that would allow them to practice their religious beliefs. This could protect kids from having to go to conservative, gay-bashing churches. Foster youth will also be able to use the Foster Care Ombudsman hotline to report harassment or discrimination.

AB 2651 reinforces the right of foster youth to be treated with dignity, respect, and support. It makes clear that no discrimination will be tolerated. Please urge your senator to vote for this important bill.

###

Deborah A. Brooks
Certified Public Accountant
• ACCOUNTING
• TAX PLANNING
• TAX PREPARATION
My Place or Yours!
5350 Marysville Road
Browns Valley, California 95918
P.O. Box 248
800-600-9339

People of Color Issue

Help Youth Escape Poverty

by Boyce Hinman, Chief Lobbyist

This month we hope you'll write the Assembly Appropriations Committee expressing your support for SB 1264, a bill that will soon be voted on by that committee. SB 1264 makes certain important changes to a statewide program called CalWORKs, which provides cash assistance to certain poor families with children. The purpose of the program is to promote the economic security and well-being of children while assisting their families in becoming self-sufficient.

The problem is that a number of current rules for this program work against the program's goals. CalWORKs-dependent children currently are penalized if they win an award for superior achievement in competitive academic, scholastic, or educational events (for example, speech or essay contests). The money they win is treated as *unearned income* and is counted in the month received, resulting in a dollar-for-dollar reduction in the family's public assistance grant—$100 won by a child in an essay contest reduces the family's aid by $100.

Awards for such achievement provide positive reinforcement for young people and they encourage students to thrive in their academic environment. Good scholastic achievement will help children escape poverty. But CalWORKs' current rules are a disincentive to high scholastic achievement because, in the end, no money really is won. SB 1264 would allow CalWORKs children to retain the income from competitive educational awards.

Some particularly gifted children graduate from high school by age 16 or 17. Generally these children must work a minimum of 32 hours per week in order not to lose their cash assistance. Getting some college under their belts would do much to help these youth escape poverty. In most cases, however, the 32-hour-per-week work requirement prevents them from going to college. SB 1264 would solve this problem by exempting teens under 18 from the work requirement if they have graduated from high school and have enrolled in, or plan to enroll in, a college or vocational or technical training school.

We urge you to support this good bill. ###

HIV/AIDS Issue

Support a Clean-Needle Program

by Boyce Hinman, Chief Lobbyist

Since the beginning of the AIDS epidemic, sharing dirty needles has been a major way in which the AIDS virus has been transmitted. One effective way to reduce the spread of the disease is to make clean needles and syringes available to intravenous drug users. However, reactionaries in our society have always resisted this solution. In essence, it seems more important to them to make drug use difficult than it is to save the life of an intravenous drug user.

Governor Davis killed a clean-needle exchange bill (authored by then-Assemblymember Kerry Mazzoni) that was sent to him in his first year in office. He didn't actually veto the bill. Instead, he made Mazzoni take it back off his desk. This year we expect two clean-needle exchange bills to reach his desk. We are asking you to write the governor and urge him to support the bills while they are in the Legislature and to sign them if they reach his desk.

One of the bills, SB 1734, would protect workers from prosecution for distributing materials to sanitize drug paraphernalia to participants in clean-needle and syringe exchange projects. The other bill, SB 1785, would allow people to purchase up to 30 hypodermic needles and syringes without a prescription. This bill would project the clean-needle project workers from prosecution as well.

California prohibits anyone from purchasing a syringe without a prescription. It is only one of six states with this requirement; the others are Delaware, Illinois, Massachusetts, New Jersey, and Pennsylvania. According to the California Office of AIDS, 19 percent of all AIDS cases in California are linked to the sharing of contaminated syringes. The percentages are higher among women and people of color. In our state, 37 percent of AIDS cases among women, 24 percent of cases among African-Americans, and 22 percent of cases among Latinas are linked to injection drug use.

There are also between 500,000 and 600,000 cases of Hepatitis C in California and roughly 60 percent of those are attributable to dirty needles.

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July Legislative Update

The state legislature is scheduled to take July off. However, failure to pass a budget prior to July 1 could shorten or eliminate that vacation. There are some important deadlines that affect a bill's survival in the legislature, although a majority of the legislators may agree to waive the deadline for any particular bill. By **May 31** all bills had to be approved by at least the house in which they were first introduced. Any bills not meeting that deadline are dead for this year.

Every bill proposed in the state legislature must be reviewed and approved by a policy committee in each house. For example, a bill that affects insurance companies must be reviewed by the insurance committees in both houses. Every bill that made it to the second house by May 31 had to be approved by the policy committee in the second house no later than **June 28.**

Bills that might cost the state government more than $100,000 must go to the Appropriations Committee in the second house. The deadline for approval by the Appropriations Committee is not until **August 16**.

HIV/AIDS Issues

AB 925 (Dion Aroner, D–Berkeley)
Purpose: To make several changes to the laws surrounding the California Working Disabled Program. Among other changes, it would allow working disabled people to earn up to 450 percent of the federal poverty level to buy into Medi-Cal health insurance.
Status: Passed the Assembly and all necessary Senate committees. Is awaiting a final vote on the Senate floor while the author seeks the governor's support of the bill.
LLP Position: Support.

AB 1423 (Helen Thomson, D–Vacaville)
Purpose: To include licensed marriage and family therapist services, and clinical social worker services, within the scope of Medi-Cal–covered benefits to the extent that federal matching funds are available, including home- and community-based services approved by the Department of Health and Human Services, for beneficiaries with a diagnosis of AIDS (or ARC) who require intermediate care or a higher-level of care.
Status: Approved by the Assembly and sent to the Senate Health and Human Services Committee. The author has not decided yet whether to pursue the bill. If she does it will not come up for a vote in committee until May or June.
LLP Position: Support.

AB 1853 (Paul Koretz, D–West Hollywood)
Purpose: To require the state to study the adequacy of insurance company payments to doctors who treat people with HIV/AIDS.
Status: Failed in the Senate Health and Human Services Committee.
LLP Position: Support.

AB 2064 (Gil Cedillo, D–Los Angeles)
Purpose: To require the State Department of Health Services to authorize the establishment of training programs for counselors for publicly funded HIV testing programs by specified community-based, nonprofit organizations. The bill would require the department to establish uniform curriculum content and design for these training programs. Would require the participating community-based organizations to follow departmental curriculum guidelines for these training programs. Costs associated with training programs administered pursuant to the bill would be absorbed by participating community-based organizations.
Status: Approved by the Senate Health and Human Services Committee and sent to the Senate Appropriations Committee. No hearing date set yet.
LLP Position: Support, with some concern about the cost to community-based groups.

AB 2197 (Paul Koretz, D–West Hollywood)
Purpose: To require the state to establish a program to provide Medi-Cal health insurance to people who are HIV-positive and who qualify for Medi-Cal, except that they are not disabled.
Status: Approved by the Assembly and sent to the Senate Health and Human Services Committee for a vote on June 26.
LLP Position: Support.

AB 2905 (Roderick Wright, D–Los Angeles)
Purpose: To require HIV testing be offered to all inmates in California State Prisons, subject to an inmate's right of refusal.

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Legislative Update

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Status: Approved by the Assembly and sent to the Senate Public Safety committee for a vote on June 25.
LLP Position: Support.

SB 187 (John Vasconcellos, D–Santa Clara)
Purpose: To require the State Department of Health to establish and maintain a voluntary program for the issuance of registry identification cards to qualified medical marijuana patients, and to establish procedures under which a patient with the card could use marijuana for medical purposes. *Note:* A recent U.S. Supreme Court decision stated that, in spite of Proposition 215, a person may be prosecuted under federal law for possession of marijuana. The court said medical necessity does not justify possession. So signing up for a marijuana registry card may be signing a confession to violation of federal law.
Status: Left on the Senate floor while Senator Vasconcellos seeks to persuade the governor to sign it.
LLP Position: Oppose.

SB 599 (Wesley Chesbro, D–Santa Rosa)
Purpose: To require health plans to cover medically necessary substance-related disorders in the same way that plans cover any other medical condition. The only limit that may be placed on the coverage is a 60-day annual limit on non-hospital residential care. The bill would also require health plans to offer coverage for the treatment of alcoholism.
Status: Passed the Senate and all necessary Assembly Committees. Is in the Assembly Inactive file pending the author's decision on what to do with it. It's strongly opposed by the insurance industry. The author plans to move the bill in 2002, although he would not have to move it until the end of the year. A deal may be cut to mandate only the substance-abuse related benefits covered by CalPERS, the healthcare program for state workers. That program has some limits.
LLP Position: Support.

SB 1315 (Byron Sher, D–Redwood City)
Purpose: To reduce prescription drug costs by establishing a multi-agency prescription drug buying pool in state and county governments and for school districts. By buying in bulk, the central purchaser may be able to lower the per-unit cost of the drugs. The central purchaser could buy drugs for other state or county government agencies unless those agencies can get the drugs cheaper.
Status: Approved by the Senate and sent to the Assembly Health Committee for a vote on June 25.
LLP Position: Support.

SB 1734 (John Vasconcellos, D–San Jose)
Purpose: Current law protects public entities, their agents, or employees from prosecution for distribution of hypodermic needles or syringes to participants in clean needle and syringe exchange projects authorized by the public entity pursuant to a declaration of a local emergency due to the existence of a critical local public health crisis. This bill would also protect them from prosecution for distributing materials to sanitize drug paraphernalia distributed to participants in clean needle and syringe exchange projects. The county in which the program exists would have to annually declare a health state of emergency.
Status: Approved by the Senate and sent to the Assembly Health Committee for a vote on June 25.
LLP Position: Support.

SB 1785 (John Vasconcellos, D–San Jose)
Purpose: To remove the requirement that people have a prescription to buy a hypodermic needle and syringe. Also would eliminate the requirement that a pharmacist keep records of who buys them. The bill would allow a person to posses up to 30 hypodermic needles and syringes if purchased through an authorized source.
Status: Approved by the Assembly Health Committee and referred to the Assembly Public Safety Committee for a hearing on June 25.
LLP Position: Support.

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Whisler Land Company

Brian K. McMartin
Broker Associate, GRI, ABR
2509 Capitol Ave, Suite 100
Sacramento, CA 95816
Direct Line: (916) 451-5767
Fax: (916) 446-2136
brian@brianmcmartin.com
www.brianmcmartin.com

Legislative Update

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Lesbian/Gay/Bisexual/Transgender Issues

AB 1080 (Christine Kehoe (D–San Diego)
Purpose: To prohibit a state agency from entering into a contract for the acquisition of goods or services with a vendor or contractor who does not offer benefits to registered domestic partner employees equal to benefits offered to married employees.
Status: In the Senate Judiciary Committee. Second hearing was cancelled by the author.
LLP Position: Support.

AB 1649 (Jackie Goldberg, D–Los Angeles)
Purpose: To amend California's Fair Employment and Housing Act to ban employment and housing discrimination against transgendered people.
Status: Approved by the Assembly and the Senate Judiciary Committee. The bill may be taken up again this year. If so, it will start where it left off last year. Its first committee would be the Senate Appropriations Committee. The bill was dropped last year by the author at the request of the governor. He promised Goldberg that he'd fulfill most of the bill's purpose through new procedures at the Department of Fair Employment and Housing. The department has created new procedures. They are awaiting final approval from the governor.
LLP Position: Support. We are cosponsors of the bill.

AB 1908 (Rebecca Cohn, D–Campbell)
Purpose: To allow employer-paid, long-term care insurance to state employees and retirees enrolled in the public employee retirement system and to employees and retirees of the legislature, the court systems, school districts, and some local governments in California. Would also allow this employer-paid insurance for their siblings, spouses, parents, and spouses' parents.
Status: Approved by the Senate Employment and Retirement Committee and sent to the Senate Appropriations Committee for a vote on June 24.
LLP Position: Support if domestic partners and the parents of domestic partners are added to the bill. The author, thus far, refuses to add domestic partners.

AB 1942 (Judy Chu, D–Monterey Park)
Purpose: To allow the establishment of a pilot anti-bias training program in any county in which hate crime incidences exceed the statewide average. The project would focus on minors in custody or on probation, probation officers, correction officers, teachers, youth service providers, social workers, parents, and community members. The goal of the program would be to reduce hate crimes.
Status: Approved by the Senate Public Safety Committee and referred to the Senate Appropriations Committee. No hearing date set yet.
LLP Position: Support.

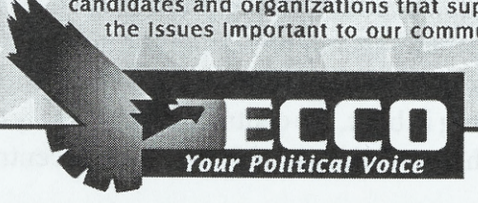
AB 2131 (Bill Leonard, R–Rancho Cucamonga)
Purpose: To provide that if a state or local firefighting, law enforcement, or patrol member gets one of several blood-borne infectious diseases on the job, and a dependent of that person gets the disease from the person, the dependent shall be eligible to receive an award of compensation under the workers' compensation laws to the same extent as the injured person is eligible to receive an award of compensation. The award could include monthly healthcare for the duration of the disease for the medical costs associated with the disease.

ECCO is pleased to support the Lambda Letters Project.

ECCO is proud to be a part of the activist LGBT community. When we work together, we can accomplish anything.

The Elections Committee of the County of Orange (ECCO) is a non-partisan Lesbian, Gay, Bisexual, Transgender, HIV/AIDS, and Women's political action committee serving Orange County and Long Beach, California.

Join us as we financially assist local, state, and federal candidates and organizations that support the issues important to our community.



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Status: Approved by the Assembly and referred to the Senate Labor and Industrial Relations Committee for a vote on June 26.
LLP Position: Support if former domestic partners are added to the bill.

AB 2216 (Fred Keeley, D–Santa Cruz)
Purpose: Under the existing law of intestate succession, the surviving spouse is entitled to a specified share of the decedent's separate property that is not effectively disposed of by will. This bill would extend this entitlement to a decedent's domestic partner.
Status: Approved by the Assembly and sent to the Senate Judiciary Committee for a vote on June 25.
LLP Position: Support.

AB 2484 (Hannah-Beth Jackson, D–Santa Barbara)
Purpose: To prevent and reduce school violence by requiring school districts to provide instruction and materials on the prevention of school terrorism through recognition and reporting prior to the occurrence of the violence.
Status: Passed by the Senate Education Committee and sent to the Senate floor for a final vote in that house.
LLP Position: Support.

AB 2651 (Judy Chu, D–Monterey Park)
Purpose: To establish goals to protect, gay lesbian, and transgendered foster children and gay and lesbian foster parents and caregivers. States it is the goal of this state that foster parents, including, but not limited to, gay or lesbian adults, shall be identified who are interested in caring for gay, lesbian, or transgendered youth in foster care.
Status: Approved by the Senate Health and Human Services Committee and sent to the Senate Appropriations Committee for a hearing on June 24.
LLP Position: Support.

AB 2777 (Joe Nation, D–San Rafael)
Purpose: To allow Santa Barbara, Marin, and Los Angeles counties to offer death benefits, optional retirement allowances, or survivor's allowances to the domestic partners of county employees and retirees.
Status: Approved by the Senate Public Employment and Retirement Committee and sent to the floor of the Senate for a final vote in that house.
LLP Position: Support.

SB 1661 (Sheila Kuehl, D–Los Angeles)
Purpose: To provide workers compensation payments to workers who take family leave to care for seriously ill family members, including domestic partners.
Status: Approved by the Senate and sent to the Assembly Insurance Committee for a vote on June 26.
LLP Position: Support.

SB 1945 (Sheila Kuehl, D–Los Angeles)
Purpose: To give victims of hate crimes more time to submit hate crimes complaints to the Department of Fair Employment and Housing.
Status: Passed the Assembly and sent to the Senate Labor and Employment Committee for a vote on June 26.
LLP Position: Support.

People of Color Issues

AB 5 (Thomas Calderon, D–Montebello)
Purpose: To prohibit an insurer from refusing to issue or renew insurance on a private passenger car, or other property, solely on the basis of a consumer credit report.
Status: Approved by the Assembly and sent to the Senate Insurance Committee. The author plans to move the bill, but it may not be heard in committee until May or June.
LLP Position: Support.

AB 14 (Jackie Goldberg, D–Los Angeles)
Purpose: To state the intent of the Legislature to examine the state school facilities program to ensure that allocation formulas reflect the current and future needs for public kindergarten to 12th grade and to examine and assess the needs of the higher educational system, including funding distributions.
Status: Approved by the Assembly and Senate. Assembly refused to concur with changes made in the Senate. Is in a two-house conference committee.
LLP Position: Neutral.

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Legislative Update

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AB 32 (Keith Richman, R–Granada Hills)
Purpose: To create the Cal-Health program, which would provide coordination of the Healthy Families and Medi-Cal programs. The bill would authorize providers to screen and temporarily enroll individuals in Medi-Cal and the Healthy Families Program at the time the person is provided with medical care, and would require full reimbursement of the provider for services covered under those programs. The bill would require licensed hospitals, clinics, and other health facilities to inform individuals about Cal-Health and, in the case of urgent or emergency services, the bill would require that individuals be informed about the program and given an opportunity to apply after services have been rendered. The bill would expand eligibility under the Medi-Cal program to adults with family incomes at or below 250 percent of the federal poverty level, and would require the state to apply to the federal government for waivers to allow federal funds to be used in that regard.
Status: Held in the Senate Appropriations Committee. No word yet on the author's plans for the bill.
LLP Position: Support.

AB 1749 (John Longville, D–San Bernardino)
Purpose: To require the governor to proclaim the third Saturday in June each year as "Juneteenth National Freedom Day: A Day of Observance" and to urge the people of California to join in celebrating this day to honor and reflect on the significant role that African Americans have played in the history of the United States and how they have enriched society through their steadfast commitment to promoting brotherhood and equality.
Status: Approved by the Senate Governmental Organization Committee and sent to the Senate Appropriations Committee for a vote on June 24.
LLP Position: Support.

AB 1806 (Keith Richman, R–Granada Hills)
Purpose: To require the state to increase participation in Medi-Cal by maximizing to the fullest extent possible the amount of income and resources that medically needy individuals are allowed to retain for purposes of Medi-Cal eligibility. The bill would specify that its provisions would be implemented only to the extent that federal financial participation is available.

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Status: Approved by the Senate Health and Human Services Committee. Referred to the Senate Appropriations Committee. No hearing date set yet.
LLP Position: Support.

AB 1807 (Keith Richman, R–Granada Hills)
Purpose: To require the department to develop a form for the temporary qualification and accelerated enrollment of a child in the Healthy Families Program and the Medi-Cal program. The bill would require that a healthcare provider, as defined, be reimbursed for services, and a pharmacy be reimbursed for prescribed drugs, provided to a temporarily qualified child under these provisions to the same extent and in the same manner as a healthcare provider or pharmacy providing services to a child who is fully enrolled and eligible for benefits under the Healthy Families Program or the Medi-Cal program.
Status: Approved by the Assembly but failed in the Senate Health and Human Services Committee.
LLP Position: Support.

AB 1891 (Manny Diaz, D–San Jose)
Purpose: To require the Department of Housing and Community Development to establish a program to make matching grants, from money appropriated by the Legislature, to local agencies that have housing trust funds, to provide financing for affordable housing to be occupied primarily by low- and very-low-income persons and families. The bill would become operative only if the Housing Bond Act of 2002, as proposed by Senate Bill 1227, is enacted by the voters.
Status: Approved by the Assembly and by the Senate Housing and Community Development Committee. Referred to the Senate Appropriations Committee. No hearing date set yet.
LLP Position: Support.

AB 2115 (Jackie Goldberg, D–Los Angeles)
Purpose: To prohibit public schools, colleges, and the state university from using any school or athletic team name, mascot, or nickname that is derogatory or discriminatory against any race, ethnicity, nationality, or tribal group.
Status: Approved by the Assembly Appropriations Committee but failed on the Assembly Floor.
LLP Position: Support.

AB 2165 (Virginia Strom Martin, D–Santa Rosa)
Purpose: To reduce the shortage of qualified pharmacists in California, particularly in inner-city and rural areas, by allowing pharmacists from other states, who have passed nationally recognized licensing exams, to qualify to work in California.
Status: Approved by the Assembly and sent to the Senate Business and Professions Committee for a vote on June 24.
LLP Position: Support.

SB 492 (Richard Polanco, D–Los Angeles)
Purpose: To require the Department of Health Services to request federal waivers so that foreign medical graduates now in the U.S. serving certain designated "health shortage areas" can remain here in the U.S. The waivers would focus on physicians who serve Medicare, Medi-Cal, low-income, and uninsured clients. Some of them, under their current visas, must soon return to their native country for two years.
Status: Passed the Senate and all necessary Assembly committees. Is awaiting a final vote on the Assembly floor.
LLP Position: Support.

SB 1264 (Dede Alpert, D–San Diego)
Purpose: Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program, under which each county provides cash assistance and other benefits to qualified low-income families. Certain types of payments received by recipients of aid under the CalWORKs program are prohibited from being treated as income or resources of the family and from being deducted from the amount of aid to which the family would otherwise be entitled. This bill says that any award or scholarship provided by a

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public or private entity to, or on behalf of, a dependent child based on the child's academic or extracurricular achievement or participation in a scholastic, educational, or extracurricular competition may not be treated as income or resources of the family for purposes of determining eligibility under the CalWORKs program.
Status: Approved by the Assembly Human Services Committee and sent to the Assembly Appropriations Committee. No hearing date set yet.
LLP Position: Support.

Women's Issues

AB 130 (Tony Cardenas, D–Mission Hills)
Purpose: To expand and reorganize a state-funded family-planning program to make it a comprehensive preventive and health screening program for low-income women under 65. Would provide funding for family-planning services, but specifically excludes funding for abortion-related services or advice. Current law already prohibits spending for abortions and this law leaves that provision unchanged.
Status: Approved by the Assembly and sent to the Senate Health and Human Services Committee. Author has not decided whether to move the bill. Even if she does the bill would probably not be voted on in committee until May or June.
LLP Position: Support with reservations about the abortion issue.

AB 1860 (Carole Migden, D–San Francisco)
Purpose: To provide a female victim of sexual assault with the option of postcoital contraception. Emergency contraception shall be dispensed upon the request of the victim.
Status: Approved by all necessary Senate committees and sent to the Senate floor for the final vote in that house. If passed by the Senate it will probably have to go back to the Assembly for its agreement to changes made to the bill in the Senate.
LLP Position: Support.

AB 1909 (Rebecca Cohn, D–Campbell)
Purpose: To allow—subject to adequate, discretionary funding from a city or county—that the superior courts in San Diego County, in Santa Clara County, and in any other county willing to participate, develop a demonstration project to identify the best practices to follow in civil and criminal cases involving domestic violence. The bill would require superior courts participating in this demonstration project to report their findings and recommendations to the Judicial Council and the Legislature.
Status: Approved by the Senate Judiciary Committee and sent to the Senate floor for a final vote in that house.
LLP Position: Support.

AB 1915 (Alan Lowenthal, D–Long Beach)
Purpose: To require the Department of Motor Vehicles to provide a new set of license plates to a registered owner of a vehicle who appears in person and submits a completed application and also presents to the DMV the previously issued plates, proof of identity and vehicle ownership, and either evidence of victimization by a domestic abuser or evidence of efforts to get assistance in regard to the domestic abuse, as specified.
Status: Approved by the Senate Transportation Committee and referred to the Senate Appropriations Committee. No hearing date set yet.

AB 1928 (Hannah-Beth Jackson, D–Santa Barbara)
Purpose: To permit a person injured by a crime of violence motivated by gender to bring a civil action for damages against the responsible person(s).
Status: Passed the Assembly and referred to Senate Judiciary for a hearing on June 25.
LLP Position: Support.

AB 2030 (Jackie Goldberg, D–Los Angeles)
Purpose: To allow courts upon request to waive the fee for serving a protective order, restraining order, or injunction if that order or injunction is based upon specified acts or threats.

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Status: Approved by the Assembly and referred to the Senate Judiciary Committee for a vote on June 25.
LLP Position: Support.

SB 564 (Jackie Speier, D–San Mateo)
Purpose: To require applicants for licensure as a psychologist; marriage, family, and child counselor; or social worker who began graduate study on or after January 1, 2004, to complete a minimum of 15 contact hours of coursework in spousal or partner abuse assessment, detection, and intervention strategies. Those who were licensed earlier than that date would be required to take continuing education courses in the above subjects.
Status: Approved by the Assembly Business and Professions Committee and referred to the Assembly Health Committee for a vote on June 25.
LLP Position: Support.

SB 1301 (Sheila Kuehl, D–Los Angeles)
Purpose: Current law states that prior to the performance of an abortion, a medical committee must determine that continuation of the pregnancy would impair the physical or mental health of the mother, or that the pregnancy resulted from rape or incest. This law instead states that every person has the right to (a) choose or refuse birth control and (b) to choose to bear a child or obtain an abortion. The bill says the state shall not deny a woman's right to obtain an abortion unless the procedure is to be performed or assisted by one not properly licensed by the state or unless the attending physician thinks the baby could live outside the uterus *and* the doctor believes the abortion is not needed to protect the life and health of the mother.
Status: Approved by the Assembly Judiciary Committee and referred to the Assembly Health Committee for a hearing on June 25.
LLP Position: Support.

SB 1320 (Sheila Kuehl, D–Los Angeles)
Purpose: To revise and strengthen the definition of the crime of stalking.
Status: Approved by the Assembly Public Safety Committee and referred to the Assembly Appropriations Committee. No hearing date set yet.
LLP Position: Support.

SB 1365 (Jackie Speier, D–San Mateo)
Purpose: Current law allows taxpayers to include an extra payment with their state income tax return until January, 2003, and to designate that extra money to be used to support breast cancer research. This bill would extend the program until January, 2008.
Status: Approved by the Senate and sent to the Assembly Revenue and Tax Committee. Hearing cancelled at author's request.
LLP Position: Support.

SB 1399 (Gloria Romero, D–Los Angeles)
Purpose: To send people to jail for up to one year or fine them up to $2,000, or both, if they flee the state to avoid paying court-ordered spousal support.
Status: Approved by the Assembly Public Safety Committee and referred to the Assembly Appropriations Committee. No hearing date set yet.
LLP Position: Support.

SB 1618 (Sheila Kuehl, D–Los Angeles)
Purpose: To raise the marriage license application fee from $23 to $33. The $10 increase would fund domestic violence shelters, $6 of which would target the creation of domestic violence shelters in underserved areas and populations.
Status: Approved by the Senate and referred to the Assembly Judiciary Committee. No hearing date set yet.
LLP Position: Support.

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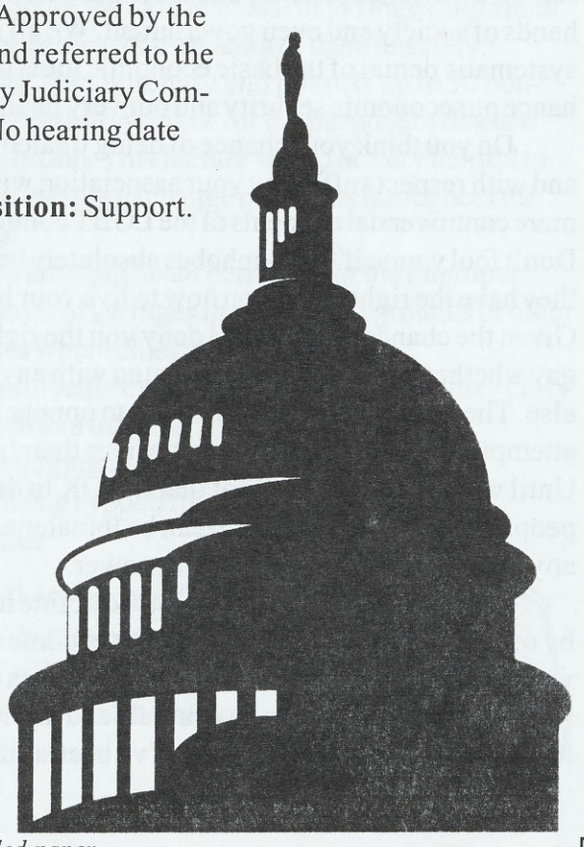


Test Case of Kuehl School Protection Plan

Continued from page 1

domestic partners. Insurance companies routinely offer family insurance premium discounts to married couples. Most don't do so for domestic partners. Many employers pay the health insurance costs of their employees' spouses. Most don't do the same for domestic partners. Health insurance is expensive so this is a big issue.

In California employers can't fire married employees who take unpaid family leave to care for their seriously ill spouses. The same is not true for employees who need to care for a domestic partner. With the incidence of AIDS in our community that, too, is a big issue.

Is there really an LGBT community? Are lesbians and gays, for example, too different from transgendered people to be considered a community? Are suburban gays too dissimilar from in-your-face activists to be considered one community? I believe it's a mistake to assume that community is based on similarity. I and my partner, Larry, have been together thirty-two years. We certainly view ourselves as a community in microcosm. And yet we are very different. In fact, thirty-two years ago friends told me I should drop Larry because we are so different that it would never last.

I think community is based on a set of similar needs or challenges. What we all have in common is a shared experience of abuse and discrimination at the hands of society and even government. We all face the systematic denial of the basic economic tools to enhance our economic security and our very health.

Do you think your chance of being treated fairly and with respect suffers by your association with the more controversial elements of the LGBT community? Don't fool yourself. Homophobes absolutely believe they have the right to tell you how to live your life. Given the chance, they would deny you the right to be gay whether or not you are associated with anyone else. The only way to defeat them is to oppose all attempts to control the way anyone lives their lives. Until we root out the concept that it's OK to deny any people their rights, any group can be threatened by anyone else who happens to be in power.

Does coming out cause society to define us solely by our sexual habits? Whether or not to come out is a very personal decision. However, I have been out to my family, my employers, my church, and my neighbors for thirty years. During that time I've been a state tormented everyday in class, and while walking home, for being gay—which he is not. Receiving no help from teachers and school counselors, Thompson filed a lawsuit against the Chaffey Joint Union High School District on November 15, 2001. He is filing his lawsuit citing provisions in AB 537, which protects students from harassment regardless of their actual or perceived sexual orientation or gender. The bill holds school officials responsible for keeping their students safe.

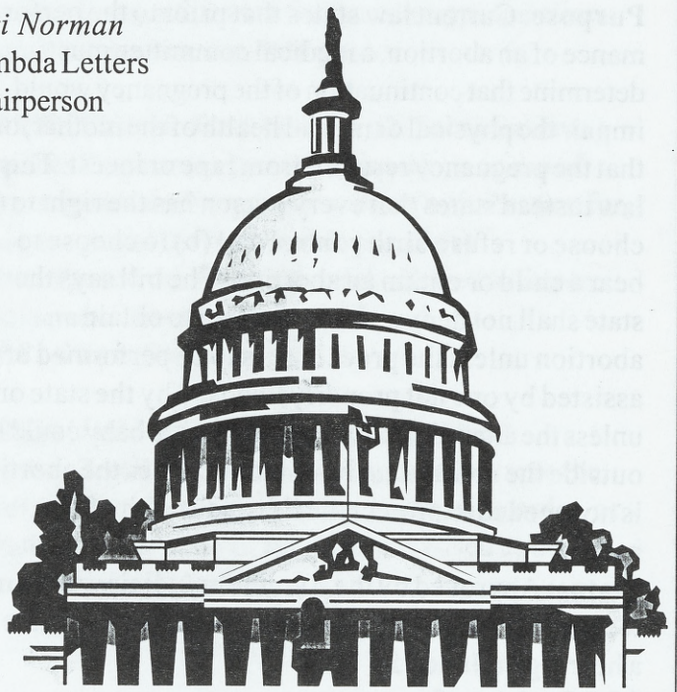
Lambda Legal Defense and the ACLU are monitoring this test case closely.

I salute you all who took up arms against discrimination and supported AB 537. Every new anti-discrimination bill that passes brings us closer to equality among all peoples.

(I would like to thank L.N. for help contributing information for this article.)

Thank you all,

Lori Norman
Lambda Letters
Chairperson



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The Post-Gay Movement

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employee, a Sunday school teacher, a board member of a mainstream Protestant denomination, as well as a very out advocate for LGBT rights. Most of my associates have come to know me as all of those things and not just a sexual being. But the fact that I was out, *and* was all those things, helped others understand that people in my community are much more than their sexuality or gender identity.

So what's the bottom line? The homophobes are still eager to take away your rights. If we give up the fight now we will create a power vacuum that they will only be too happy to fill. That would spell the end of all our rights.

###

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Women's Issue

Continued from page 3

To prevent what happened to Teresa Macias from happening again, profound changes must be made—changes not just to procedures and policies, but to deep-seated attitudes. SB 1618 is a relatively easy, immediate step. Let's establish a dependable source of funding for the domestic violence programs we have so painstakingly created.

For more about the Teresa Macias case go to *www.purpleberets.org.*

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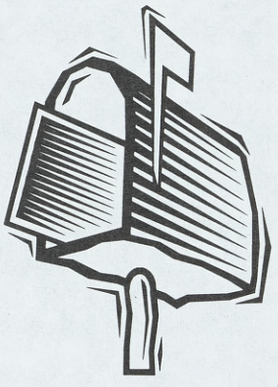
HIV/AIDS Issue

Continued from page 4

According to the Agency for Health Care Research and Quality the average annual cost for treating someone infected with HIV is $20,000 to $24,000. Much of this treatment cost is born by public agencies.

SB1734 and SB 1785 would respond to the problem in the following ways:

- Adults can buy syringes without a prescription but they must be purchased at a registered pharmacy.
- Syringes in drugstores must be stored safely behind the counter.
- Pharmacists must provide purchasers with information about the safe disposal of syringes and about the penalties for disposing of them unsafely.
- Adults may purchase and possess up to 30 non-prescription syringes for the purpose of disease prevention. This feature would be very helpful to clean-needle exchange programs throughout the state.
- There are significant penalties for the improper disposal of syringes in school playgrounds or other places where children gather.
- Clean-needle exchange project workers may carry bleach and other supplies and equipment for sterilizing hypodermic needles.



We think these are good bills. They can do much to curb the spread of AIDS. Please write to Governor Davis in support of these bills.

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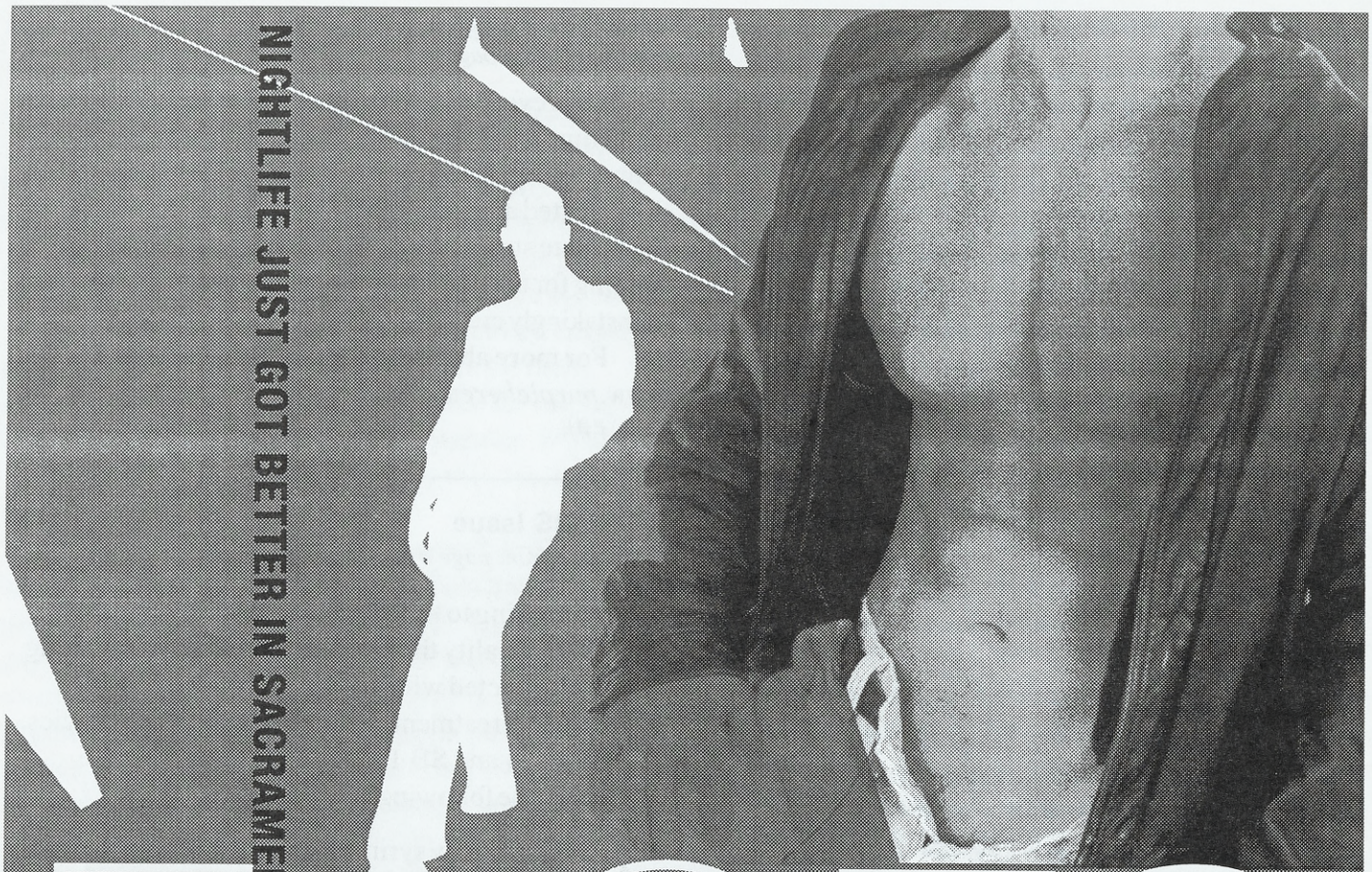

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